IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.7949 OF 2005

Rajesh Harischandra Shinde & Ors. ...Applicants
vs.
The State of Maharashtra ...Respondent

Mr.P.R.Arjunwadkar for the Applicant
Ms S.D.Shinde,A.P.P. for State.

CORAM: ABHAY S.OKA,J.
DATE : DECEMBER 23,2005

P.C.:

1. This is a third bail application made by the Applicants before this Court.

2. Apart from merits, the grievance of the Applicants is that the trial is not proceeding in accordance with law and there is undue delay in disposing of the case. The learned counsel for the Applicant has invited my attention to the Roznama of the proceedings and pointed out that for no reason, THE case is being adjourned and till today only five witnesses have been examined by the prosecution. He further stated that the trial is not proceeding in consonance with Section 309 of the Code of Criminal Procedure,1973.

3. After having heard the learned Counsel for the Applicant and the learned A.P.P. for State, I find no case is made out of change in fact situation and therefore this third bail

application cannot be entertained. However, there is some substance in the grievance made by the learned Counsel for the Applicant that trial is being delayed. In my view, trial deserves to be expedited.

4. Hence I pass the following order :

i) Application is rejected.

ii) The learned Trial Judge will conclude the trial as expeditiously as possible and preferably on or before 28th February 2006.

(ABHAY S. OKA, J.)